APPENDIX*

California Housing Authorities Law:

[*Cal. Stats.*, Ex. Sess. 1938, c. 4, p. 9 *et seq.*, as amended, *Cal. Stats.*, 1945, c. 766, p. 1450 *et seq.*; and codified by *Cal. Stats.*, 1951, c. 710, p. 1947, *et seq.*]

Sec. 34201. **Finding and declaration of necessity.** It is hereby declared:

(a) That there exist in the State insanitary or unsafe dwelling accommodations and that persons of low income are forced to reside in such accommodadations; that within the State there is a shortage of safe or sanitary dwelling accommodations available at rents which persons of low income can afford and that such persons are forced to occupy overcrowded and congested dwelling accommodations; that these conditions cause an increase in and spread of disease and crime and constitute a menace to the health, safety, morals, and welfare of the residents of the State and impair economic values; that these conditions necessitate excessive and disproportionate expenditures of public funds for crime prevention and punishment, public health and safety, fire and accident protection, and other public services and facilities.

(b) That these slum areas cannot be cleared, nor can the shortage of safe and sanitary dwellings for

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*The California housing legislation was codified in 1951. For convenience, section references here are to that codification which may be found in the *California Health & Safety Code* and also in *Cal. Stats.* 1951, c. 710, p. 1948, *et seq.* No substantive change in the legislation was made by the codification.

persons of low income be relieved, through the operation of private enterprise, and that the construction of housing projects for persons of low income would therefore not be competitive with private enterprise.

(c) That the clearance, replanning, and reconstruction of the areas in which insanitary or unsafe housing conditions exist and the providing of safe and sanitary dwelling accommodations for persons of low income are public uses and purposes for which public money may be spent and private property acquired and are governmental functions of state concern; that it is in the public interest that work on such projects be commenced as soon as possible in order to relieve unemployment which now constitutes an emergency; and the necessity in the public interest for the provisions of this chapter is declared as a matter of legislative determination.

Sec. 34203. **"Authority."** "Authority" means a public corporation created pursuant to this chapter.

Sec. 34205. **"Governing body."** "Governing body" means the city council in the case of a city or the board of supervisors in the case of a county.

Sec. 34210. **"Federal Government."** "Federal Government" means the United States, the Federal Emergency Administration of Public Works, or any other agency or instrumentality, corporate or otherwise, of the United States.

Sec. 34212. **"Housing project."** "Housing project" means any work or undertaking to be financed in whole or in part by the Federal Government or to which the Federal government extends assistance by supplying all or part of the labor, by guaranteeing the payment of liens, or otherwise, for any one or a combination of the following purposes:

(a) To demolish, clear, or remove buildings from any slum area. Such work or undertaking may embrace the adaptation of the area to public purposes, including parks or other recreational or community purposes.

(b) To provide decent, safe, and sanitary urban or rural dwellings, apartments, or other living accommodations for persons of low income. Such work or undertaking may include buildings, land, equipment, facilities, and other real or personal property for necessary, convenient, or desirable appurtenances, streets, sewers, water service, parks, site preparation, gardening, administrative, community, health, recreational, educational, welfare, or other purposes.

"Housing project" also includes the planning of the buildings and improvements, the acquisition of property, the demolition of existing structures, the construction, reconstruction, alteration, and repair of the improvements, and all other work in connection therewith.

Sec. 34240. **Housing Authority: Nature: Counties: Cities: Resolution of necessity to function.** In each county and city there is a public body corporate and politic known as the housing authority of the county or city. The authority shall

not transact any business or exercise its powers unless, by resolution, the governing body of the county or city declares that there is need for an authority to function in it.

Sec. 34310. **Nature and functions of authority: Powers.** An authority constitutes a corporate and politic public body, exercising public and essential government functions, and having all the powers necessary or convenient to carry out the purposes and provisions of this chapter.

Sec. 34311. **Powers.** An authority may:

(a) Sue and be sued.

(b) Have a seal and alter it.

(c) Have a perpetual succession.

(d) Make and execute contracts and other instruments necessary or convenient to the exercise of its powers.

(e) Make, amend, and repeal by-laws and regulations, not inconsistent with this chapter, to carry into effect the powers and purposes of the authority.

Sec. 34312. **Same: Housing projects.** Within its area of operation, an authority may:

(a) Prepare, carry out, acquire, lease, and operate housing projects.

(b) Provide for the construction, reconstruction, improvement, alteration, or repair of all or part of any housing project.

Sec. 34313. **Projects after September 15, 1945: Consultation with school district: Consent of governing body: Exception.** Except where there existed on September 15, 1945, contracts for financial assistance between a housing authority and the Federal Goverment, no low-rent housing or slum-clearance project shall be developed, constructed, or owned by an authority after September 15, 1945, except after consultation with the school district in which the project is located, and until the governing body of the county or city in which it is proposed to develop, construct, or own the project, approves it by resolution.

Sec. 34326. **Planning, Zoning and Building Laws.** All housing projects are subject to the planning, zoning, sanitary, and building laws, ordinances, and regulations applicable to the locality in which the housing project is situated. In the planning and location of any housing project, an authority shall take into consideration the relationship of the project to any larger plan or long-range program for the development of the area in which it functions.

Sec. 34327. **Federal Aid.** An authority may:

(a) Borrow money or accept grants or other financial assistance from the Federal Government for or in aid of any housing project within its area of operation.

(b) Take over, lease, or manage any housing project or undertaking constructed or owned by the Federal Government.

(c) For these purposes, comply with such conditions and enter into any mortgages, trust indentures, leases, or agreements necessary, convenient, or desirable.

It is the purpose and intent of this chapter to authorize every authority to do any and all things necessary or desirable to secure the financial aid or cooperation of the Federal Government in the undertaking, construction, maintenance, or operation of any housing project by an authority.

California Housing Cooperation Law:

[*Cal. Stats.*, Ex. Sess. 1938, c. 2, p. 2 *et seq.*, and codified by *Cal. Stats.*, 1951, c. 710, p. 1900 *et seq.*]

Sec. 34505. **Same: "Housing authority."** "Housing authority" means any housing authority created pursuant to the Housing Authorities Law.

Sec. 34505: **Same: "Housing projects."** "Housing projects" means any work or undertaking of a housing authority pursuant to the Housing Authorities Law or any similar work or undertaking of the Federal Government.

Sec. 34506. **Same: "State public body."** "State public body" means any city, county, borough, commission, district, authority, or other subdivision or public body of the State.

Sec. 34507. **Same: "Governing body."** "Governing body" means the council, board of supervisors, board of trustees, or other body having charge of the fiscal affairs of the state public body.

Sec. 34508. **Same: "Federal Government."** "Federal Government" means the United States, the Federal Emergency Administration of Public Works, or any other agency or instrumentality, corporate or otherwise, of the United States of America.

Sec. 34509. **Powers of state public body: Cooperation in undertaking housing projects.** For the purpose of aiding and cooperating in the planning, undertaking, construction, or operation of housing projects located within the area in which it is authorized to act, any state public body may exercise the powers prescribed in Section 34510 to 34518, inclusive, upon such terms, and with or without consideration, as it may determine.

Sec. 34510. **Same: Sale and lease of property.** A state public body may dedicate, sell, convey, or lease any of its property to a housing authority or the Federal Government.

Sec. 34511. **Same: Furnishing parks and other facilities** in connection with housing projects. A state public body may cause parks, playgrounds, recreational, community, educational, water, sewer or drainage facilities, or any other works which it is

otherwise empowered to undertake, to be furnished adjacent to or in connection with housing projects.

Sec. 34512. **Same: Streets: Sidewalks.** A state public body may furnish, dedicate, close, pave, install, grade, regrade, plan, or replan streets, roads, roadways, alleys, sidewalks, or other places which it is otherwise empowered to undertake.

Sec. 34513. **Same: Zoning: Exceptions to building regulations.** A state public body may:

(a) Plan or replan, zone or rezone any part of its territory.

(b) Make exceptions to building regulations and ordinances.

Sec. 34514. **City maps.** Any city or city and county also may change its map.

Sec. 34515. **State Public Body: Powers: Agreements with housing authorities or Federal Government.** A state public body may enter into agreements with a housing authority or the Federal Government respecting action to be taken by the state public body pursuant to this chapter. Notwithstanding any law to the contrary, the agreements may extend over any period of time.

Sec. 34516. **Same: Additional powers: Acquisition of housing authority bonds.** A state public body may:

(a) Do any and all things, necessary or convenient, to aid and cooperate in the planning, undertaking, construction, or operation of such housing projects.

(b) Purchase or legally invest in any of the bonds of a housing authority and exercise all of the rights of any holder of the bonds.